IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O. O. C. J.

WRIT PETITION NO. 1998 OF 2006

Ramchandra Tukaram Patil .. Petitioner
v/s.
The Union of India and others .. Respondents

Mr. M. Janardhanan for the petitioner.

CORAM : R.M. LODHA &
SMT.NISHITA MHATRE , JJ.

DATED : 17TH JANUARY, 2007

P.C.

Heard Mr. M. Janardhanan, the counsel for the petitioner.

2. He does not dispute that the employer viz. National Textile Corporation or for that matter, Mumbai Textile Mills, does not dispute that the service record reflects the petitioner's year of birth as 1936 and that by mistake, his year of birth has been shown as 1957 in the papers pertaining to the settlement of the pension claim. Once the employer admits that the petitioner's year of birth is 1936 and that mistake crept in the papers pertaining to the petitioner's pension claim, obviously, it is the obligation of the employer to take up the matter with the Regional Provident Fund Commissioner. Obviously, once the position is clarified with regard to the petitioner's date/year of birth by the petitioner's employer (National Textile Corporation or for that matter, Mumbai Textile Mills), the Regional

Provident Fund Commissioner or the concerned officer in that office shall have to settle the petitioner's pension claim based on the clarification given by the petitioner's employer.

3. With the aforesaid observation, writ petition is disposed of.

(R.M.LODHA, J.)

(SMT. NISHITA MHATRE, J.)